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May 3, 2006

Hon. Michael A. Telesca  
U.S. District Court Judge  
U.S. District Court  
Western District of New York  
100 State Street, Room 272  
Rochester, New York 14614

Re: **Malcolm v. Eastman Kodak Company; Civil Action No. 03-CV-6589 T(P)**  
**Luciano v. Eastman Kodak Company; Civil Action No. 04-CV-6194 CJS (F)**

Dear Judge Telesca:

I am writing on behalf of both parties to request a modification to the Court's Order Approving Settlement that was previously modified on March 10, 2006. Specifically, the parties request that the Class Notice, Claim Form and Receipt be submitted to the Court for approval by not later than May 17, 2006. The current Order calls for the forms to be submitted May 3, 2006. The reason the parties make this request is that they have negotiated in good faith in an effort to find the appropriate language for these forms, but are not yet in full agreement. In the event the parties cannot reach agreement on the Class Notice and Claim Form, counsel respectfully request that the Court set a date for a conference so that these issues may be resolved.

I thank the Court for its consideration of this Request.

Respectfully,

s/ Daniel J. Moore  
Daniel J. Moore

DJM/sjp

cc: J. Nelson Thomas, Esq.  
Michael Lingle, Esq.  
Eugene D. Ulterino, Esq.  
Paul Hall, Esq.  
Paul J. Yesawich, III, Esq.

So Ordered:

S/ Michael A. Telesca  
United States District Court Judge

Dated: May 5, 2006